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July 8, 1982

Nuclear Regulatory Commission  
Washington, DC 20555

Subject: Deficiencies and Inadequacies found in Safety Evaluation Report (NUREG-0793) prepared by Nuclear Regulatory Commission related to the operation of Midland Nuclear Plant Units 1 & 2 Dockets Nos. 50-329 and 50-330.

Gentlemen:

This is the second report prepared by the staff of the Mapleton Interveners on the above SER. As a result of our study of the SER (Sec. 3.7.1 thru 15.5) we have come to the following conclusions.

1. SER has a tolerant attitude toward applicant.
2. NRC is reluctant to order Consumers Power Co. (CPC) to meet regulatory requirements.
3. Variances and exemptions granted to CPC which may affect the public health.
4. The many unresolved safety issues which affect the public health and safety.
5. No recommendation for permanent radiation monitoring equipment for installation in Midland and nearby communities.
6. The apparent staff desire to license the operation regardless of the public health and safety.
7. No requirement for additional insurance which is available. (See NUREG-0891).
8. NRC unable to understand that people want protection against radiation rather than a license for the plant.
9. Glossing over the seriousness of the soil's problem which endangers the public health & safety.
10. Nothing in SER about the dumping of heat, ammonia and radioactivity into the Tittabawassee River.
11. Permitting the discharge of gaseous radioactivity to the atmosphere including radioactive Iodine.
12. NRC Staff appears to find itself under intense pressure to compromise on the public health and safety in order to conclude that Midland Nuclear Plant can be operated without resolution of unresolved safety issues and other items peculiar to B & W plants and TMI.
13. Failure to consider synergistic effects of pollutants from CPC and Dow Chemical Co., harged to the River and to the atmosphere.

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14. Failure to insist that cooling towers be utilized.
15. Failure to include decommissioning plans for Units 1 & 2 and the costs thereof.

Herewith some items from the SER

3.7.1 Supplement to SER will be issued on Seismic Category Structures - 1

3.7.2 Seismic analysis will be discussed in supplement to SER

3.7.3 Seismic sub systems analysis evaluation of safe shut down of plant will be issued in a supplement to the SER - Also Seismic Analysis of buried pipes to be issued by staff supplement to SER

3.8.2 A confirmatory item. How can staff state they have reasonable assurance that requirements will be met?

3.8.1 Resolution of open items on containment will satisfy requirements of GDC 2, 4 16 and 50

3.8.2 Use of masonry walls in seismic category I structures is not in the intent of public health and safety the staff has reasonable assurance that this confirmatory item. The resolution of this.

3. Open items related evaluation of masonry walls. Masonry walls are not allowed in California quake areas.

3.8.3 Related eroding of concrete due to extensive soil settlement is an open safety item

3.8.4 Foundation support problems are not resolved and constitute a safety problem which has not been resolved. The epoxying of all significant cracks (presumably in cement) does not add to integrity of the structures.

3.8.4 "The applicant's intent to comply with established criteria, codes, standards and specifications acceptable to staff was not carried out because of sinking buildings, soil problems, dewatering to prevent liquification and present remedial action and this violation does not constitute an acceptable basics for satisfying requirements of GDC 2 and 4

3.9.2.3 CPC is not performing a plant-specific analysis of either Units 1 or 2 reactor internals for combined safe shut down. Since Midland 1 and 2 are similar to TMI 1 and 2, the CPC should use this as a baseline instead of using Davis-Besse as a baseline. CPC is to submit the results of the analysis by April of 1983. This is a safety related item. The staff will report on resolutions of the issues in a supplement to the SER. Will major pipe breaks withstand LOCC conditions.

3.9.3 Buried water piping exposed to large soil settlement will be removed by staff and constitutes an open safety item - review will be reported in supplement to the SER. All large diameter pipe will be removed, replaced and reburied. Re-analysis of the results will be done by staff and remains an open item affecting the public health and safety. Item 5 of 3.9.3.2 concerning removal and releading of buried pipe less than 26" in diameter will be conducted in a supplement to the SER.

3.9.3.3 Failure of reactor hold down studs analysis will be reported in supplement to the SER since it is a safety item.

3.9.6 ASME code requires testing in accordance with Sec. XI of ASME Code as required by 10 CFR 50.55a(g). Since this is a safety item affecting the public health and safety the variance granted by NRC to CPC is a violation of NRC regulations and in view of the Besse-Davis and TMI accidents should be withdrawn.

3.10 Re-evaluation of Seismic Equipment is an open item affecting public health and safety. Audit of equipment is an open item and will be reported in a supplement to SER

3.11 Environmental qualification of mechanical and electrical equipment has not been qualified and staff has been unable to evaluate CPC's EQ program. This is an open item that will be included in a supplement to the SER

4.2.3.1 Hold down spring integrity is questioned due to experience of spring failures at other B & W plants

4.2.3.2 Fuel rods mechanical fracturing is an unresolved open item. A report will be in supplement to this SER

4.4.4.1 Cone cooling instrumentation is inadequate and does not meet items IIF.2 of NUREG-0737. This is a safety item and affects public health and safety and the license cannot be granted

4.4.4.1 LPMS should be evaluated for conformance with Regulating Guide 1.133

4.4.5 Operation with less than 4 pumps is a safety related item and CPC should consider the safety implication; of a 2 or 3 pump operation.

5.2.4.1 Evaluation of PSI (Preservice inspection) to be presented in a Supp to the SER.

5.2.4.3 (Page 5-14) A confirmatory issue effecting the public health and safety.

5.3.1.2 Par III P. 4 of Appendix G requires testing personnel "shall be qualified and shall be able to perform tests according to written procedures". The exemption or variance for waiving this requirement certainly lessens the integrity of the testing procedures and many impacts on safety.

Par III C.2 Appendix G was not complied with and there is no justification for giving variances or exceptions to regulatory procedures since the public health and safety is insured.

Requirements of Par IVB of Appendix G is exempted by variance granted NRC to CPC.

5.3.1.3 Exceptions or variances to Par II.B and Par 11 C.1 and therefore the CPC surveillance program is not in compliance with Appendix H/10CFR/50.

The granting of exemptions or variances to Par III B.4, III C.2, IV A.1, IV A3, IV B of Appendix G and Par II B and II C of Appendix H will result in environmental impacts and will effect the public's health and safety. The rules and regulations must be enforced in behalf of the problem even if it imposes more work on the applicant CPC.

5.3.3 Par III B.4 Appendix G unqualified personnel to conduct tests - why?

Par III C.2 Appendix G the failure of applicant to prepare metallurgical test samples from excess production forging material. No variance is justified - remember TMI.

5.4.2.2.3 How can Applicant meet Regulatory Guide 1.83 NUREG-OLD3 when only part of the requirements are met.

5.4.3.1 An open item on nozzle cooling at other B & W plants including Midland.

5.4.4.1 The staff is to report the applicants performance of required tests and analysis in a supp to this SER. In spite of noted deficiencies in design of the DHR the staff concludes DHR System complete; with SRP Sec 5.4.7 and is acceptable. What a stretch of imagination.

5.4.6 An open item on the vessel head vent.

5.5.6 A confirmatory item important to the plant safety and the public health.

6.1.1.3.2 Applicant has not completed the procedure for relating radioactive isotopes to estimated ??? damage and has not complied with regulatory requirements, therefore, license cannot be granted.

6.2.1.2 Staff will report in Supp to the SER on applicant's submission of loads and moments within the steam generator.

6.2.4.4 Delenis screen acceptability will be reported in a supp to this SER.

6.2.6 The staff to evaluate the applicant's justification for not testing valves in a supp to this report. The applicant has not included the information on the leakage in the offsite dose.

6.3.5 In item 2."—verified by analysis based on built-in curves rather than by test". It is our contention that operating tests affords a more realistic data - especially since the health and welfare and safety are concerned.

6.4 Page 6-36. If the control room at Midland is the same as TMI then it appears that the control room does not meet the requirements of NUREG-0737 items #0.3.4 and GDC 19.

6.5.1.2 How can the staff state with such certainty that the system decontamination efficiencies are 99% for iodine and 99% for particulates following a partulated DDA.

6.6.1 The uncompleted evaluation of the PSI program will be in a supp to this SER.

6.6.3 A supp to this SER on the evaluation of compliance with 10CFR50.55a(b). The staff considers PSI to be a confirmatory issue based on CPC's submittal for all variance requirements. In view of TMI how can HRS give variances specially since it concerns the public health and safety. It appears that NRC, in this SER, is speeding up the licensing process without regard to safety or the public health.

7.1.3.1 There are 9 confirmatory items which the staff states will not be addressed in this SER unless unanticipated problems; arise - TMI notwithstanding.

7.2.3 Economics is the basis for the design of Midland integrated control system. A turbine trip should trip the reactor, however, the excuse is used that this safety feature will be eliminated since the plant furnishes steam to Dow Chemical - are economics more important than safety; evidently in NRC's rush to license they forego safety and the public's health. As a suggestion why not have CPC generate steam with gas which is available at the plant site in event of a turbine-reactor trip. How can staff find that non-conformance by CPC to safety-grade requirements is acceptable?

9.1.2.1 The spent fuel storage facility provides for this storage of 1049 fuel assemblies approximating 5% full core loads. When the spent fuel storage is filled with spent fuel will the plant close? s Why does not the SER spell out actions taken when spent fuel pool is filled with spent fuel.

9.4.2 The spent fuel pools ventilation system limits radioactive releases to atmosphere. Why not prevent the radioactive releases to atmosphere.

9.4.3 The system is designed, according to SER, to control release of radioactive effluents to the environment during normal plant operations. What is the control in release of radioactivity under design basis accidents? How is the public health and safety protected?

10.3.2 Continuity of steam to Dow is given priority over electric power generators. It seems that the electric rate payer is forced to pay to subsidize Dow Chemical Company.

11.3.1 The gaseous waste management system allows the discharge of radioactive gases to the environment during normal operations.

(1) Why discharge any radioactivity to environment?

(2) When plant is not operating normally, or during an accident, are radioactive gases contained?

(3) Will discharges be similar to TMI?

(4) Why discharge ventilation exhaust air from turbine building and main condenser air ejector exhaust directly to atmosphere without processing thru a high efficiency air filter.

(5) What right does NRC and CPC have to impose annual doses to the public. The discharge of radioactive iodine is a criminal act perpetrated against the public health and safety.

11.5.2 105 UCi/cc Value (2) the staff credits DILUTION. Since when does dilution become a solution to pollution.

15.5 How was determination made that the LPS after 8 hours is negligible?

In conclusion, it is our opinion that the SER does not address itself adequately to the serious aspects of the radiological, UNRESOLVED safety issues, dewatering, ENVIRONMENTAL DEGRADATION, and the stress upon the public due to fear of radiation and possible TMI type of accident.

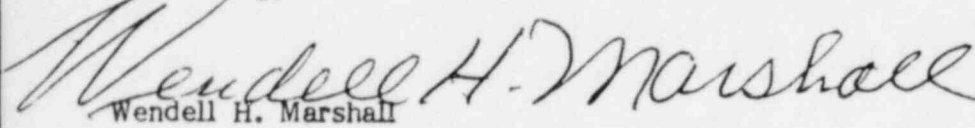
A recent discussion by U.S. Court of Appeals for the District of Columbia requires HRC to consider public fear as a type of pollution. Environmental law protects mental health.

In Midland; there is fear of radiation from the nuclear plant and fear of a TMI type of accident. This fear is a psychology stress on the residents, especially in view of the fact that the plant is in the city of Midland.



We at the Mapleton Interveners request information as how NRC could possibly give a license to CPS when there are so many unresolved safety issues and statements to the fact that these will be reported in another document.

Yours truly,

  
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cc: Atomic Safety and Licensing Appeal Board

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